



General Assembly

January Session, 2013

Amendment

LCO No. 6500

HB0584406500HDO

Offered by:

REP. GROGINS, 129th Dist.

To: Subst. House Bill No. 5844

File No. 501

Cal. No. 318

"AN ACT CONCERNING THE OVERNIGHT TETHERING OF DOGS OUTDOORS AND THE TETHERING OF DOGS OUTDOORS UNDER CERTAIN WEATHER CONDITIONS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 22-350a of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2013*):

5 (a) No person shall tether a dog to a stationary object or to a mobile
6 device, including, but not limited to, a trolley or pulley by means of: [a:
7 (1) Tether] (1) A tether that does not allow such dog to walk at least
8 eight feet, excluding the length of such dog as measured from the tip
9 of such dog's nose to the base of such dog's tail, in any one direction,
10 (2) a tether that does not have swivels on both ends to prevent twisting
11 and tangling, unless [the owner or keeper of such dog] a person is in
12 the presence of such dog, (3) a coat hanger, choke collar, prong-type
13 collar, head halter or any other collar, halter or device that is not
14 specifically designed or properly fitted for the restraint of such dog, (4)

15 a tether that has weights attached or that contains metal chain links
16 more than one-quarter of an inch thick, or (5) a tether that allows such
17 dog to reach an object or hazard, including, but not limited to, a
18 window sill, edge of a pool, fence, public road or highway, porch or
19 terrace railing that poses a [substantial] risk of injury or strangulation
20 to such dog if such dog walks into or jumps over such object or hazard,
21 unless [the owner or keeper of such dog is on the premises] a person is
22 in the presence of such dog. The provisions of subdivisions (1) and (2)
23 of this subsection shall not be construed to apply to: (A) Any
24 veterinary practice licensed pursuant to section 20-197 that tethers a
25 dog in the course of such veterinary practice, (B) any exhibition, show,
26 contest or other temporary event in which the skill, breeding or
27 stamina of such dog is judged or examined, (C) any exhibition, class,
28 training session or other temporary event in which such dog is used in
29 a lawful manner to hunt a species of wildlife during the hunting
30 season for such species of wildlife or in which such dog receives
31 training in a lawful manner to hunt such species of wildlife, (D) the
32 temporary tethering of a dog at any camping or recreation area as
33 expressly authorized by the Commissioner of Energy and
34 Environmental Protection, [or] (E) the temporary tethering of a dog at
35 a grooming facility in the course of grooming such dog, or (F) the
36 temporary tethering of a dog for a period of time of not more than
37 fifteen minutes in duration.

38 (b) No person shall tether a dog outdoors to a stationery object or to
39 a mobile device, including, but not limited to, any trolley or a pulley,
40 at any time between the hours of ten o'clock p.m. and six o'clock a.m.,
41 unless: (1) A person is outdoors in the presence of such dog, or (2) such
42 tethering is for a period of not more than fifteen minutes in duration.

43 (c) No person shall tether a dog outdoors to a stationery object or to
44 a mobile device, including, but not limited to, a trolley or a pulley,
45 when a weather advisory or warning is issued by local, state or federal
46 authorities or outdoor environmental conditions, including, but not
47 limited to, extreme heat, cold, wind, rain, snow or hail, pose an

48 adverse risk to the health or safety of such dog based on the dog's
49 breed, age or physical condition, unless tethering is for a duration of
50 not longer than fifteen minutes.

51 (d) Any owner or person with custody of a dog shall provide such
52 dog with access to proper shelter. For the purposes of this subsection,
53 "proper shelter" means the house in which such owner or person with
54 custody resides or a structure that is functionally equivalent to such
55 house that has sound construction and contains, at a minimum, three
56 solid walls, a solid ceiling, a raised, solid floor, a protected entrance, a
57 dry interior, and dry bedding; and "access" means that the owner or
58 person with custody allows the dog to enter and remain in the proper
59 shelter. The provisions of this section shall not be construed to apply
60 to: (1) Any exhibition, show, contest or other temporary event at which
61 the skill, breeding or stamina of such dog is judged or examined, (2)
62 any exhibition, class, training session or other temporary event at
63 which such dog is used in a lawful manner to hunt a species of wildlife
64 during the hunting season for such species of wildlife or at which such
65 dog receives training in a lawful manner to hunt such species of
66 wildlife, (3) the keeping of a dog at any camping or recreation area as
67 expressly authorized by the Commissioner of Energy and
68 Environmental Protection, or (4) the temporary tethering of a dog for a
69 period of time of not more than fifteen minutes in duration.

70 (e) Nothing in this section shall be construed to affect any person's
71 ability to leave a dog unattended in an area that is enclosed on all sides
72 by a fence, improvement or similar structure for a period of time that
73 does not exceed fifteen minutes or during extreme weather conditions,
74 provided such dog is not tethered and has access to proper shelter, as
75 defined in subsection (d) of this section.

76 [(b)] (f) Nothing in this section shall be construed to affect any
77 protection afforded to any dog pursuant to any other provision of the
78 general statutes, regulations of the Connecticut state agencies, local
79 ordinance or local regulation.

80 [(c)] (g) Any person who confines or tethers a dog for an
81 unreasonable period of time or in violation of the provisions of
82 subsection (a), (b) or (c) of this section or who fails to provide a dog
83 access to proper shelter in violation of subsection (d) of this section
84 shall be fined one hundred dollars for the first offense, two hundred
85 dollars for a second offense, and not less than two hundred fifty
86 dollars or more than five hundred dollars for a third or subsequent
87 offense."

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2013	22-350a
-----------	--------------	---------